



**ASSEMBLY AMENDMENT 11,
TO 1995 SENATE BILL 501**

March 21, 1996 – Offered by Representatives R. YOUNG, KRUG and LADWIG.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 87, line 10: delete “(d)” and substitute “(cm)”.

3 **2.** Page 88, line 4: after that line insert:

4 “(cm) *Plea hearing.* 1. A hearing to determine whether any party wishes to
5 contest a petition filed under par. (a) shall take place on a date which allows
6 reasonable time for the parties to prepare but is no more than 30 days after the filing
7 of the petition. At the hearing, the nonpetitioning parties and the child, if he or she
8 is 12 years of age or over or is otherwise competent to do so, shall state whether they
9 wish to contest the petition. Before accepting a plea of no contest to the allegations
10 in the petition, the court shall do all of the following:

11 a. Address the parties present and determine that the plea is made voluntarily
12 and with understanding of the nature of the facts alleged in the petition, the nature
13 of the potential disposition and the nature of the legal consequences of that
14 disposition.

1 b. Establish whether any promises or threats were made to elicit the plea of no
2 contest and alert all unrepresented parties to the possibility that an attorney may
3 discover grounds to contest the petition that would not be apparent to those parties.

4 c. Make inquiries to establish to the satisfaction of the court that there is a
5 factual basis for the plea of no contest.

6 2. If the petition is not contested and if the court accepts the plea of no contest,
7 the court may immediately proceed to a dispositional hearing under par. (f), unless
8 an adjournment is requested. If a party requests an adjournment, the court shall set
9 a date for the dispositional hearing which allows reasonable time for the parties to
10 prepare but is no more than 30 days after the plea hearing.

11 3. If the petition is contested or if the court does not accept the plead of no
12 contest, the court shall set a date for a fact-finding hearing under par. (d) which
13 allows reasonable time for the parties to prepare but is not more than 30 days after
14 the plea hearing.”.

15 **3.** Page 88, line 6: delete “within 30 days after the petition is filed” and
16 substitute: “on the date set by the court under par. (cm) 3.”.

17 **4.** Page 88, line 8: after the period insert: “If the court, at the conclusion of the
18 fact-finding hearing, finds by clear and convincing evidence that the conditions
19 specified in sub. (2) (a) to (f) have been met, the court shall immediately proceed to
20 a dispositional hearing unless an adjournment is requested. If a party requests an
21 adjournment, the court shall set a date for the dispositional hearing which allows
22 reasonable time for the parties to prepare but is no more than 30 days after the
23 fact-finding hearing.”.

24 **5.** Page 88, line 15: delete lines 15 to 18 and substitute:

